

JAS. C. WALKER,
LAWYER,
80 CAMP ST., NEW ORLEANS.

New Orleans Feby 25/92.

Hon. Albion W. Tourgee,
Wayville N. C.

My dear Judge: I have just
time to write a word or two. One subject
Dan. J. Reddum, a young colored man of
good repute, was arrested yesterday, & am
for occupying a white passenger coach
on the Louisville & Nashville Railroad,
after purchasing and paying for a ticket
to Mobile, Ala. The affidavit was a
copy of the one returned to me by yourself.
I received examination in his behalf
within an hour or two after his arrest
and he was committed for trial to the
Criminal District Court, bail \$500⁰⁰.

Feby 26/92, 12⁴⁵ P.M. Our client was re-
leased immediately. I expect that an
information or indictment will be
preferred within a day or two.

Now the Statute is craftily worded,
seemingly limiting its provisions to such
Railway trains as are operated within
the limits of the this State. I expect

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that the indictment will follow the words of the Statute, although the S. & N. O. R. R. conveying passengers to Mobile traverses part of Louisiana, the entire breadth of Mississippi and part of Alabama. This will necessitate that we file a plea to the jurisdiction to be supported by recital of the true facts of the case setting up that the Statute in question confers no lawful jurisdiction on the State Courts, and that the Subject Matter is not appropriate to State legislation, for the reason that the U. S. Cons. provides that Congress shall have the "power to regulate Commerce among the States &c." Also adding, by way of demurrer, the points 1 to 12 indicated in your favor of the 14th ~~part~~ ^{page} including also such other suggestions of yours as are available. We will have to pay the Stenographer to take down all the testimony, to be used at future stages of the litigation, as the present case is not appealable. After our plea and demurrer are overruled by the District Court of the

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→ immediately after conviction

State, I do not deem it to be
advisable that we apply at once to
the Circuit "Court" for habeas corpus.
^{U.S.}
So to speak, the discretion of this Court
is too extensive, and too much depends
in the matter to be determined by the
length of the Chancellor's foot. We must
expect our remedy in the State Courts.
Tho' the case be not appealable, our
State Supreme Court has general super-
visory jurisdiction, and upon occasion
will review the judgt. of the inferior
court by Prohibition, Certiorari and
Habeas Corpus.

I propose then, that our next step be to
the State Supreme Court for Certiorari
& Prohibition; and in the event of an
adverse decision, that we get our clients
bonds men to surrender as high for sentence
by the District Court; and then that we turn
our attention to the U.S. Circuit Court for
habeas corpus, looking to an appeal
to the U.S. Supreme Court at Washington
when the Habeas Corpus is refused, and

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Asking for bail pending the appeal.
If you have retained a copy of your
favor of the 9th Jan, please look at it
carefully again, as I shall try to follow
your points very closely. There is one
term you have employed which I do
not understand, "the white on looker".
Please explain. I infer that you have
fallen into the mistake of supposing
that I am informed respecting correspond-
ence with Mr. Martineau & the Committee
prior to the date of my first letter.

I would like to hear from you at once
if your business, health, and inclination
are favorable, to enable us to be guided
in time, in case of inadvertence or
error in pleading.

Concluding, I deem it proper that our
clients be instructed to avoid sensational
discussions in the matter, and that our efforts
be looked upon as in no wise political.

Respectfully,
Jas. C. Walker